

**FILED**

OCTOBER 30, 2003

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF:	)	
	)	Administrative Action
	)	
GIDEON ZAHLER, P.A.	)	CONSENT ORDER
	)	
	)	
	)	

This matter was opened before the **New Jersey State Board** of Medical Examiners (**the "Board"**) upon referral from the Physicians' Assistant Advisory Committee on an **application** for licensure as a Physician Assistant from applicant Gideon Zahler, P.A. **The** applicant truthfully disclosed on his **application** that, in December 2000, he was arrested in Bronx, New York and charged with presenting a forged prescription for Vicodin at a pharmacy.

The **applicant** appeared before **the** Credentials Committee of the Board on May 19, 2003 and was accompanied by Louis E. Baxter, M.D., **Executive** Medical Director of the Physicians' Health Program (the "PHP"). The **applicant** testified under oath concerning

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the events leading to his **arrest** when he was **employed** as a Physician **Assistant** in the Emergency Room at North Central Bronx **Hospital**. He further **testified** that in December 2000, he joined the Committee for Physicians' Health in the State of New **York** and **subsequently entered** and **completed** a 6-8 **week** course of in-patient treatment at **Marworth**. After he was discharged from Marworth on February 6, 2001, Mr. Zahler **testified** that he **resigned** his position at North **Central** Bronx Hospital in lieu of termination. He also testified that he has **remained** in outpatient treatment with Arnold Washton, Ph.D., since February 2001.

The applicant represented to the Board that **he has been** abstinent **since December** 15, 2002. In **support** of his application, **he provided** through Dr. Louis E. Baxter, copies of toxicology reports of his urine monitoring conducted by the New York Committee for Physicians' Health for the period commencing January 2002 and continuing to **April** 2003. Mr. Zahler **testified** that his urine **is** currently monitored four to six times a month on a random basis. He also discussed **the** history of his substance **abuse** and testified that ten years ago when he was a paramedic in New York he drank heavily at work and later began using **Tylenol** with Codeine. The PHP represented that Mr. Zahler **is** a **suitable** candidate for **licensure** in New Jersey. The Board has determined that Gideon Zahler, P.A. has rehabilitated himself and may presently **be** licensed to practice as a Physician Assistant in New Jersey.

However, the Board concludes that as a condition of licensure, the applicant will be required to participate in a monitoring program with the New Jersey PHP upon commencement of employment in New Jersey.

The Board being satisfied that the public interest is adequately protected by the entry of the within Order, and that Gideon Zahler having waived any right to further proceedings in this matter, and good cause existing for entry of the within Order.

IT IS THEREFORE, ON THIS 10th DAY OF October , 2003

HEREBY ORDERED AND AGREED THAT:

1. Gideon Zahler, P.A. is hereby granted a license to practice as a Physician Assistant in the State of New Jersey.
2. Gideon Zahler, P.A. shall maintain absolute abstinence from all psychoactive substances and alcohol unless prescribed by a treating physician for a documented medical condition and in the usual course of the treating physicians' medical practice with notification to the Executive Medical Director of the Physicians' Health Program.
3. Gideon Zahler, P.A. shall submit to random urine monitoring at a frequency consistent with Mr. Zahler's duration in recovery unless additional urine screens are mandated by the Committee for Physicians' Health and/or

the Office of Professional Medical Conduct in New York for the continuance of his license in that **State**.

4. Gideon Zahler, P.A. shall become **knowledgeable** about about any and all foods or **food additives** or other products which may confound the **validity** of urine **screening** and **shall refrain** from ingesting or otherwise using or employing any such product.

5. Gideon Zahler, P.A. shall comply with face-to-face visits with a **representative** of the Physicians' **Health** Program on a bi-monthly basis for **the** first six months of licensure and then on a quarterly **basis** for the subsequent eighteen months. Following that period of time, visits **will be** determined **by the** Executive Medical Director of the PHP with notice to the Medical Director of the Board **at** a frequency consistent with Mr. Zahler's duration in recovery.

6. Gideon **Zahler**, P.A. shall **be** responsible to ensure that the Physicians' Health Program supplies quarterly reports to the Board regarding his progress. The **first report** shall **be** filed within one month of Mr. Zahler's **commencing** employment in New Jersey. An immediate (within 24 **hours** of awareness) report both orally and in writing, shall be made by the PHP to the Board of any information that Gideon Zahler, P.A. engaged in any

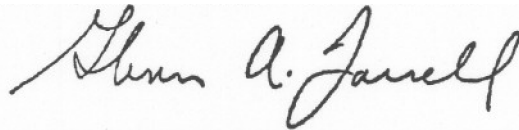
**violation** of any laws regarding controlled dangerous substances or alcohol, any positive urine **screen** or failure to **appear** for the urine monitoring. Further, Gideon Zahler, P.A. **expressly** waives any claim to **privilege** ~~of~~ confidentiality that he may have concerning the above outlined reports and **disclosure** by the PHP to the Board.

7. Gideon Zahler, P.A. hereby **consents** to the PHP reporting to the Board any indication of a slip, relapse, non-compliance with the recovery **program** or any use of psychoactive substances or alcohol unless **prescribed** by a treating physician. There is to be **immediate** notification, by name, to the Board's Executive Director and **Medical** Director. In the event, upon the Board's receipt of any information which the Board in its **sole** discretion deems reliable, that Gideon Zahler, P.A. has materially failed to comply with any of **the** conditions set forth above, ~~of~~ any report of a confirmed positive urine, or a prima facie showing of any abuse, possession or distribution of psychoactive substances, alcohol or CDS, Gideon Zahler, P.A. consents to the entry of an **Order** resulting in the immediate automatic temporary suspension of license. Said suspension is to **be**

memorialized in a public **State** Board of Medical Examiners' Order.

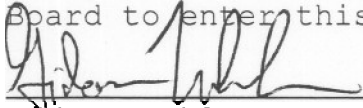
8. Gideon Zahler, P.A. shall **have the right** to apply for: removal of **the** automatic **suspension on** two (2) day's notice but in such event shall **be** limited to a showing that the urine tested was not his or was a false: positive.

NEW JERSEY STATE BOARD OF **MEDICAL** EXAMINERS




By: \_\_\_\_\_  
Glenn A. Farrell, Vice President  
Vice President

I have read and understand  
**the** within Consent Order and  
**agree** to be bound by its terms.  
Consent is **hereby given** to the  
Board to enter this Order.



Gideon Zahler, P.A.

I agree to the monitoring and  
reporting **requirements** set  
forth above as to the Physicians'  
Health Program.



Dr. Louis E. Baxter, M.D., F.A.S.A.M.  
Executive Medical Director  
Physicians' Health Program